**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>Application Number</b>	10/067,155		
	<b>Filing Date</b>	02/04/2002	
	<b>First Named Inventor</b>	Hickok	
	<b>Art Unit</b>	3732	
	<b>Examiner Name</b>	Manahan	
<b>Total Number of Pages in This Submission</b>	14	<b>Attorney Docket Number</b>	08563-0140-1

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement   <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____  <b>Remarks</b>	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input checked="" type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Copies of Prior submittals</b> 1. Return receipt post card 2. Certificate of Express Mailing 3. Post Office to Addressee Label 4. Transmittal Form 5. Declaration (unsigned) 6. Application Data Sheet <i>CERTIFICATE OF FIRST CLASS MAIL POST CARD</i>
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

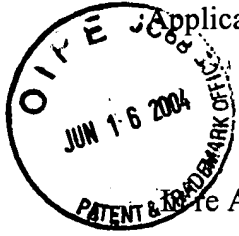
<b>Firm or Individual name</b>	Carmen Santa Maria, 33453
<b>Signature</b>	<i>Carmen Santa Maria</i>
<b>Date</b>	June 14, 2004

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<b>Signature</b>	<i>Carmen Santa Maria</i>	<b>Date</b>	June 14, 2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of Hickok, Teresa R. :  
: Group Art Unit: 3732  
Application No.: 10/067,155 :  
: Examiner: Manahan, Todd  
Application Filed: February 4, 2002 :

**For: MICROENDODONTICS ULTRASONIC SURGICAL DENTAL TOOL HAVING  
WATER PORT AND METHOD OF MAKING SAME**

Mail Stop ISSUE FEE  
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Sir:

**REMARKS**

A Notice of Allowance for the subject case was issued on May 3, 2004. However, prior to the issuance of the Notice of Allowance, correspondence to add an additional inventor, Dr. Syngcuk Kim, was mailed via Express Mail to the U.S. Patent Office on April 6, 2004. This correspondence includes a Transmittal Form, unsigned Declaration and Application Data Sheet. Apparently, the papers were lost by the U.S. Patent Office after receipt.

Dr. Kim is being added as a coinventor to satisfy its obligation under a Settlement Agreement to litigation in the United States District Court for the Eastern District of Missouri. The settlement agreement was arrived at between Earth City Technologies, Inc., d/b/a Spartan Marketing Group and Dentsply International Inc., assignee of the subject application from San Diego Swiss Machining Inc.

The current assignee of the present application had expected that, upon receipt of the application, that the Examiner would issue an official paper, A Notice to File Missing Parts, which the assignee intended to forward to the attorneys representing Dr. Kim, along with the unexecuted declaration, for his signature. As this has not occurred, the assignee has investigated

and determined that the papers filed on April 6, 2004 may have been misplaced and not been provided to the responsible Examiner.

Applicant/assignee hereby includes a copy of the papers filed by the attorney for the applicant/assignee on April 6, 2004. Also enclosed is a copy of the return receipt post card, indicating that the unsigned Declaration, the Certificate of Express Mailing and Transmittal Form were received by the U.S. Patent Office on April 6, 2004.

Because these papers were timely submitted by the applicant/assignee prior to the issuance of the Notice of Allowance, applicant/assignee respectfully requests that the Examiner sua sponte withdraw the Notice of Allowance and take the necessary steps to allow Dr. Kim to be added as coinventor in the subject application.

### CONCLUSION


Because the papers to add Dr. Syngcuk Kim were timely submitted prior to issuance of the Notice of Allowance, which papers are attached to this submittal, the Examiner is respectfully requested to withdraw the Notice of Allowance and initiate steps to add Dr. Kim as a coinventor of the subject application.

The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 50-1059. If prosecution of the application can be otherwise expedited, the Examiner is encouraged to contact the attorney for applicant/assignee at the phone number listed below.

Respectfully submitted,  
MCNEES WALLACE & NURICK LLC

Dated: June 14, 2004

Fax: 717-237-5300  
Attachments

  
Carmen Santa Maria  
Reg. No. 33,453  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166  
Phone: 717-237-5226  
Attorney for Applicant



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Carmen Santa Maria

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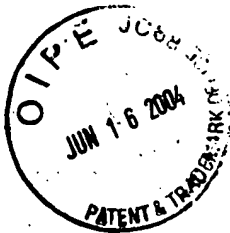
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Application/Patent No.: 10/067,155

MWN Reference No.: 08563-0140-1

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Submitted by:

Carmen Santa Maria  
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Application/Patent No.: 10/067,155

MWN Reference No.: 08563-0140-1

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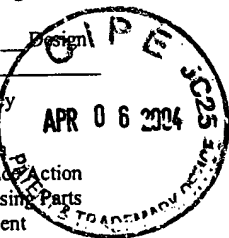
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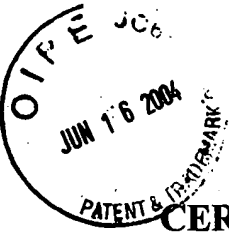
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1. Return Acknowledgment Postcard
2. Transmittal Form
3. Declaration (1 page, unsigned)
4. Application Data Sheet

By: (Type signature) Lindsay Vican

Written Signature: Lindsay Vican

Date: April 6, 2004

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